

FORM-PTO-1390
(Rev. 12-29-99)

U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE

ATTORNEY'S DOCKET NUMBER

**TRANSMITTAL LETTER TO THE UNITED STATES
DESIGNATED/ELECTED OFFICE (DO/EO/US)
CONCERNING A FILING UNDER 35 U.S.C. 371**

033248-017

U.S. APPLICATION NO. (If known, see 37 C.F.R. 1.5)

09/913752INTERNATIONAL APPLICATION NO.
PCT/SI00/00002INTERNATIONAL FILING DATE
17 February 2000PRIORITY DATE CLAIMED
19 February 1999

TITLE OF INVENTION

**DIRECTLY COMPRESSIBLE MATRIX FOR CONTROLLED RELEASE OF SINGLE DAILY DOSES OF
CLARITHROMYCIN**

APPLICANT(S) FOR DO/EO/US

Darja FERČEJ TEMELJOTOV, Milojka MOHAR, Mateja SALOBIR, Ljubomira Barbara REBIČ, Marko OPRESNIK

Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:

1. ☒ This is a **FIRST** submission of items concerning a filing under 35 U.S.C. 371.
2. ☐ This is a **SECOND** or **SUBSEQUENT** submission of items concerning a filing under 35 U.S.C. 371.
3. ☒ This is an express request to begin national examination procedures (35 U.S.C. 371(f)) at any time rather than delay examination until the expiration of the applicable time limit set in 35 U.S.C. 371(b) and the PCT Articles 22 and 39(1).
4. ☒ A proper Demand for International Preliminary Examination was made by the 19th month from the earliest claimed priority date.
5. ☒ A copy of the International Application as filed (35 U.S.C. 371(c)(2))
 - a. ☒ is transmitted herewith (required only if not transmitted by the International Bureau).
 - b. ☐ has been transmitted by the International Bureau.
 - c. ☐ is not required, as the application was filed in the United States Receiving Office (RO/US)
6. ☐ A translation of the International Application into English (35 U.S.C. 371(c)(2)).
7. ☐ Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3))
 - a. ☐ are transmitted herewith (required only if not transmitted by the International Bureau).
 - b. ☐ have been transmitted by the International Bureau.
 - c. ☐ have not been made; however, the time limit for making such amendments has NOT expired.
 - d. ☒ have not been made and will not be made.
8. ☐ A translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)).
9. ☐ An oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)).
10. ☐ A translation of the annexes to the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371(c)(5)).

Items 11. to 16. below concern other document(s) or information included:

11. ☐ An Information Disclosure Statement under 37 CFR 1.97 and 1.98.
12. ☐ An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.
13. ☒ A **FIRST** preliminary amendment.
14. ☐ A **SECOND** or **SUBSEQUENT** preliminary amendment.
15. ☐ A substitute specification.
16. ☐ A change of power of attorney and/or address letter.
16. ☒ Other items or information: RETURN POSTCARD

"Express Mail" mailing label No. EL832885319US


Date of Deposit 8/17/01

I hereby certify that this paper or fee is being deposited with the United States Postal Service "Express Mail Post Office to Addressee: service under 37 CFR 1.10 on the date indicated above and is addressed to the assistant Commissioner for Patent Washington, D.C. 20231.

SENI MATANGI

(Typed or printed name of person mailing paper or fee)

(Signature of person mailing paper or fee)

U.S. APPLICATION NO. (If known, / see 37 CFR 1.50) 09/913752		INTERNATIONAL APPLICATION PCT/SI00/00002		ATTORNEY'S DOCKET NUMBER 033248-017	
17. <input checked="" type="checkbox"/> The following fees are submitted:				CALCULATIONS	PTO USE ONLY
Basic National Fee (37 CFR 1.492(a)(1)-(5)): Neither international preliminary examination fee (37 CFR 1.482) nor international search fee (37 CFR 1.445(a)(2)) paid to USPTO and International Search Report not prepared by the EPO or JPO \$1,000.00 (960) International preliminary examination fee (37 CFR 1.482) not paid to USPTO but International Search Report prepared by the EPO or JPO \$860.00 (970) International preliminary examination fee (37 CFR 1.482) not paid to USPTO but international search fee (37 CFR 1.445(a)(2)) paid to USPTO \$710.00 (958) International preliminary examination fee paid to USPTO (37 CFR 1.482) but all claims did not satisfy provisions of PCT Article 33(1)-(4) \$690.00 (956) International preliminary examination fee paid to USPTO (37 CFR 1.482) and all claims satisfied provisions of PCT Article 33(1)-(4) \$100.00 (962) ENTER APPROPRIATE BASIC FEE AMOUNT =				\$ 860.00	
Surcharge of \$130.00 (154) for furnishing the oath or declaration later than months from the earliest claimed priority date (37 CFR 1.492(e)). 20 <input type="checkbox"/> 30 <input type="checkbox"/>				\$	
Claims	Number Filed	Number Extra	Rate		
Total Claims	13 -20 =	0	X\$18.00 (966)	\$	0
Independent Claims	2 -3 =	0	X\$80.00 (964)	\$	0
Multiple dependent claim(s) (if applicable)			0 + \$270.00 (968)	\$	0
TOTAL OF ABOVE CALCULATIONS =				\$ 0	
Reduction for 1/2 for filing by small entity, if applicable (see below).				\$	-0
SUBTOTAL =				\$ 860.00	
Processing fee of \$130.00 (156) for furnishing the English translation later than months from the earliest claimed priority date (37 CFR 1.492(f)). 20 <input type="checkbox"/> 30 <input type="checkbox"/>				\$	
TOTAL NATIONAL FEE =				\$ 860.00	
Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40.00 (581) per property +				\$	0
TOTAL FEES ENCLOSED =				\$ 860.00	
				Amount to be:	
				refunded	\$ 0
				charged	\$
a. <input type="checkbox"/> Small entity status is hereby claimed. b. <input checked="" type="checkbox"/> A check in the amount of \$ <u>860.00</u> to cover the above fees is enclosed. c. <input type="checkbox"/> Please charge my Deposit Account No. <u>02-4800</u> in the amount of \$ _____ to cover the above fees. A duplicate copy of this sheet is enclosed. d. <input checked="" type="checkbox"/> The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. <u>02-4800</u> . A duplicate copy of this sheet is enclosed. NOTE: Where an appropriate time limit under 37 CFR 1.494 or 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed and granted to restore the application to pending status.					
SEND ALL CORRESPONDENCE TO: T. GENE DILLAHUNTY BURNS, DOANE, SWECKER & MATHIS, L.L.P. P.O. Box 1404 Alexandria, Virginia 22313-1404 (650)622-2300			 SIGNATURE <u>T. Gene Dillahunt</u> NAME <u>25,423</u> REGISTRATION NUMBER		